



ORDER DENIED

The movant has represented that the debtor filed 09-10842. That is not true.
An order to show cause why the creditor should not be sanctioned under Rule 9011 will be held on April 28, 2010 at 9:30 a.m.

Entered on Docket
April 12, 2010

A handwritten signature in dark ink, appearing to read "Linda B. Riegler".

Hon. Linda B Riegler
United States Bankruptcy Judge

WILDE & ASSOCIATES

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U.S. Bank National Association, as Trustee for SASCO 2007-WF2
10-71312

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEVADA

In Re:

Nicholas James Whittinghill and Cristina Maria
Whittinghill

Debtors.

Bk Case No.: 10-14558-lbr

Date:
Time:

Chapter 7

**ORDER RE: EX-PARTE APPLICATION FOR AN ORDER PURSUANT TO
362(C)(3)(A)**

1
2 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Automatic Stay in
3 the above-entitled bankruptcy proceedings is immediately vacated and extinguished for all
4 purposes as to Secured Creditor U.S. Bank National Association, as Trustee for SASCO 2007-
5 WF2, its assignees and/or successors in interest, of the subject property, generally described as
6 50 Aura De Blanco St, Unit 12104, Henderson, NV 89074, and legally described as follows:

7
8 **PARCEL I:**

9 AN UNDIVIDED FRACTIONAL INTEREST AS A TENANT IN COMMON IN THE
10 COMMON ELEMENTS AS DEFINED IN SECTION 1.15 OF THE DECLARATION
11 OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR VILLA AZURE
12 RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF CLARK.
13 COUNTY, NEVADA ON JULY 3, 2006 IN BOOK 20060703 AS DOCUMENT NO.
14 00129 AS THE SAME MAY FROM TIME TO TIME BE AMENDED AND/OR
15 SUPPLEMENTED, TO WHICH REFERENCE IS HEREAFTER MADE
16 ("DECLARATION").

17 EXCEPTING THEREFROM ALL BUILDING UNITS AND ASSOCIATION
18 PROPERTY IN THE PROJECT, AS THOSE TERMS ARE DEFINED IN ARTICLE I
19 OF THE DECLARATION.

20 AND RESERVING THEREFROM THE RIGHT TO POSSESSION OF ALL THOSE
21 AREAS DESIGNATED AS LIMITED COMMON ELEMENTS IN SECTION 1.22 OF
22 THE DECLARATION AND/OR DESIGNATED AS SUCH UPON EITHER THE
23 PLAT OF LADERA VILLAS CONDOMINIUMS "FLATS" - UNIT 1 AS SHOWN
24 BY MAP THEREOF ON FILE IN BOOK 128 OF PLATS, PAGE 19, IN THE OFFICE
25 OF THE COUNTY RECORDER OF CLARK. COUNTY, NEVADA, OR THE PLAT
26 OF ANY OTHER PHASE OF THE LADERA VILLAS CONDOMINIUMS
PROJECT ANNEXED TO SAID PROJECT IN ACCORDANCE WITH THE
DECLARATION.

AND FURTHER RESERVING THEREFROM FOR THE BENEFIT OF THE
OWNERS OF CONDOMINIUMS (I.E. BUILDING UNITS) IN OTHER PHASES OF
THE PROJECT, A NON-EXCLUSIVE EASEMENT OF INGRESS, EGRESS AND
RECREATIONAL USE, ON, OVER AND UNDER THE COMMON ELEMENTS AS
DEFINED IN SECTION 1.15 IN THE DECLARATION, WHICH EASEMENT IS
SUBJECT TO THE TERMS AND PROVISIONS OF THE DECLARATION.

PARCEL II:

LIVING UNIT 12104 IN BUILDING 12 OF LADERA VILLAS CONDOMINIUMS
"FLATS" - UNIT 1 AS SHOWN BY MAP THEREOF ON FILE IN BOOK 128 OF

1 PLATS, PAGE 19, IN THE OFFICE OF THE COUNTY RECORDER OR CLARK
2 COUNTY, NEVADA.

3 PARCEL III:

4 A NON-EXCLUSIVE EASEMENT OF INGRESS, EGRESS AND RECREATIONAL
5 USE, ON, OVER AND UNDER THE COMMON ELEMENTS AS DEFINED IN THE
6 DECLARATION, WHICH EASEMENT IS SUBJECT TO THE TERMS AND
7 PROVISIONS OF THE DECLARATION AND APPURTENANT TO PARCELS I
8 AND II DESCRIBED ABOVE.

9 PARCEL IV:

10 THE EXCLUSIVE RIGHT, SUBJECT TO THE TERMS AND PROVISIONS OF
11 THE DECLARATION TO GARAGE NO. 12104: DEFINED AND DESCRIBED AS
12 A LIMITED COMMON ELEMENT IN SECTION 1.22 OF THE DECLARATION
13 AND WHICH IS APPURTENANT TO PARCELS I AND II DESCRIBED ABOVE.

14 **IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured**
15 **Creditor shall give Debtors at least seven business days' notice of the time, place and date of**
16 **sale.**

17 Submitted by:

18 **WILDE & ASSOCIATES**

19 By: /s/Gregory L. Wilde, Esq

20 **Gregory L. Wilde, Esq.**

21 Attorney for Secured Creditor

22 **APPROVED / DISAPPROVED**

23 By: _____

24 Dawn M. Papaeliou

25 Attorney for Debtor(s)

26 **APPROVED / DISAPPROVED**

By: _____

William A. Leonard

Chapter 7 Trustee

1 In accordance with Local Rule 9021, the undersigned counsel certifies as follows (check one):

2 ☐ The court waived the requirements of LR 9021.

3 ☐ No parties appeared or filed written objections, and there is no trustee appointed in the case.

4 ☐ No parties appeared or filed written objections, and the trustee is the movant.

5 ☒ This is a chapter 7 or 13 case, and either with the motion, or at the hearing, I have delivered a
6 copy of this proposed order to all counsel who appeared at the hearing, and any trustee
7 appointed in this case, any unrepresented parties who appeared at the hearing, and each has
8 approved or disapproved the order, or failed to respond, as indicated below:

9 Debtor's counsel:

10 ☐ approved the form of this order ☐ disapproved the form of this order

11 ☐ waived the right to review the order and/or ☒ failed to respond to the document

12 ☐ appeared at the hearing, waived the right to review the order

13 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

14 Trustee:

15 ☐ approved the form of this order ☐ disapproved the form of this order

16 ☐ waived the right to review the order and/or ☒ failed to respond to the document

17 ☐ This is a chapter 9, 11, or 15 case, and I have delivered a copy of this proposed order to all
18 counsel who appeared at the hearing, and any trustee appointed in this case any unrepresented
19 parties who appeared at the hearing, and each has approved or disapproved the order, or failed to
20 respond, as indicated below.

21 Debtor's counsel:

22 ☐ approved the form of this order ☐ disapproved the form of this order

23 ☐ waived the right to review the order and/or ☐ failed to respond to the document

24 ☐ appeared at the hearing, waived the right to review the order

25 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

26 Trustee:

☐ approved the form of this order ☐ disapproved the form of this order

☐ waived the right to review the order and/or ☐ failed to respond to the document

☐ I certify that I have served a copy of this order with the motion, and no parties appeared or filed
written objection.

Submitted by:

/s/ Gregory L. Wilde, Esq.

Gregory L. Wilde, Esq.

Attorney for Secured Creditor